

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Annual Assessment of the Status of Competition) MB Docket No. 07-269
in the Market for the Delivery of Video)
Programming)

COMMENTS OF [OXNARD ELEMENTARY SCHOOL DISTRICT, OXNARD, CA]

These Comments are filed by the Oxnard –Area Public Schools Instructional TV Consortium , Oxnard, CA in response to the Further Notice of Inquiry (“Further Notice”) released April 21, 2011 in the above-entitled proceeding. In addition to providing fact specific information about our community, Oxnard –Area Public Schools Instructional TV Consortium a Joint Powers Authority files these comments in support of the Comments of the Alliance for Community Media. The Oxnard –Area Public Schools Instructional TV Consortium also wishes to congratulate the Federal Communications Commission (“Commission”) for recognizing that Public, Educational and Governmental (“PEG” or “public access”) channels constitute "public interest programming." (Further Notice at ¶ 21 n. 63)

PEG Programming in Our Community

Oxnard –Area Public Schools Instructional TV Consortium is a Joint Powers Authority JPA formed in 1982 with representatives from all of Oxnard-Area public school districts that included the following members:

Oxnard Elementary School District
Ocean View School District
Hueneme Elementary School District
Rio School District
Oxnard Union High School District
Oxnard College of the Ventura Community College District

These entities worked together to provide instructional/educational programming on different education access channels to the cable subscribers provided through the City of Oxnard local cable franchise agreement. We all enjoyed great success with this progressive document that enabled local PEG channels to offer content to enrich the citizens of the Oxnard Plain. At the time, Oxnard was able to boast about this because there were not many cable franchise agreements that had PEG channel commitments written into their local cable agreements--Oxnard has five-3 directly related to education (K-8, High School & Community College), at this time none for Public Access and 1 for Government Access. One of the best aspects of these past agreements was the language written in to include monetary grants to each of the PEG channels. This commitment by the City to share the funds that were acquired through these franchise agreements and with the small co-pay charge each

subscriber paid toward PEG channels greatly assisted our respective missions to provide relevant up to date content for viewers. These access channels are dedicated to serving the learning and teaching community. Our local franchise agreement allows these education and gov't channels an avenue for viewers to participate in the democratic process educational career of their children in the rural agricultural city of Oxnard in the County of Ventura, CA with a population of 200,000.

Our franchised cable provider(s) are Time Warner Cable of Oxnard and Verizon FiOS of Oxnard. Our community has public, educational and/or governmental ("PEG") channels provided [as part of our locally negotiated franchise agreements City of Oxnard Ordinance #2650] pursuant to the California DIVCA Act of 2006.

CHANNELS We currently have:	In 2007, we had:
<u>0</u> public access channel(s)	<u>1</u> public access channel(s)
<u>3</u> educational channel(s)	<u>3</u> educational channel(s)
<u>1</u> government channel(s)	<u>1</u> government channel(s)

)

These channels are located on the provider(s)' Basic tier of service.

Extra equipment is not required to view these channels. CURRENTLY FREE BUT ANTICIPATE THAT FUTURE EQUIPMENT UPGRADES TO MEET TECHNOLOGY STANDARDS WILL BE SUBJECT TO A FEE AT A FUTURE DATE.

There are fewer PEG channels carried on our system in 2011 than in previous years. WE NO LONGER HAVE A PUBLIC ACCESS CHANNEL AVAILABLE TO LOCAL CITIZENS FOR AIRING PUBLIC ACCESS PROGRAMMING. NOR ARE ANY FACILITIES MADE AVAILABLE FOR IN HOUSE TRAINING FOR PRODUCTION AND POST PRODUCTION BY THE VARIOUS COMMUNITY PRODUCERS/INTERNS WHICH WERE MADE POSSIBLE BY PAST CITY OF OXNARD CABLE TV FRANCHISE AGREEMENTS WITH JONES INTERCABLE OXNARD AND ADELPHIA CABLE OF OXNARD. THIS IS A RESULT OF STATEWIDE FRANCHISING LAWS AND NO LOCAL ORDINANCE AMENDMENTS IN PLACE TO ENSURE CONTINUING FINANCIAL COMMITMENT TO FUND A PUBLIC ACCESS RESOURCE AND GRANTS TO EDUCATION ACCESS CHANNELS.

There are no sources available to track the availability of PEG programming and changes to PEG availability. THE CITY OF OXNARD HAS NOT OFFERED ANY INFORMATION REGARDING THE AVAILABILITY OF PEG PROGRAMMING OR ANY CHANGES TO POLICY AND FUTURE COMMITMENTS TO PEG PROGRAMMING.

HERE IN OXNARD WE HAVE THREE EDUCATION ACCESS CHANNELS SERVING ELEMENTARY, HIGH SCHOOL AND COMMUNITY COLLEGE AUDIENCES OF TEACHERS, PARENTS/CAREGIVERS AND LEARNERS. THESE EDUCATION ACCESS CHANNELS ALLOW LEARNERS TO AUGMENT THEIR EDUCATIONAL GOALS WITH SPECIFIC INSTRUCTIONAL PROGRAMMING AIMED TO—LEARN ENGLISH, BE BETTER

CITIZENS, ASSIST WITH CHILDREN'S HOMEWORK AS WELL AS ACQUIRE TRANSFER CREDITS TO A 4YR UNIVERSITY THROUGH THE DISTANCE LEARNING OPPORTUNITIES PROVIDED VIA THESE CHANNELS. PUBLIC ACCESS PROGRAMMING HAS ALSO PROVIDED IMPORTANT CULTURAL AND RELIGIOUS PROGRAMMING NOT AVAILABLE ON LOCAL BROADCAST CHANNELS. THE MOST IMPORTANT DRAMATIC CHANGE HAS BEEN THE LOSS OF FUNDING/GRANTS THAT PAST LOCAL FRANCHISE AGREEMENTS ENSURED. THE LOSS OF THIS FUNDING MECHANISM FOR THE PUBLIC ACCESS AND EDUCATION ACCESS CHANNELS HAVE BEEN ELIMINATED DUE THE TO CALIFORNIA DIVCA ACT OF 2006. THE CITY OF OXNARD HAS GIVEN THE GOVERNMENT ACCESS CHANNEL TOTAL ACCESS TO ALL PEG FUNDING AND HAS NOT OFFERED ANY INFORMATION OR SHARED FUNDING NOR MAINTAINED PRIOR COMMITMENTS THAT CITIZENS OF OXNARD HAVE RELIED ON FOR THE PAST 20 PLUS YEARS.

Respectfully submitted,
OXNARD ELEMENTARY SCHOOL DISTRICT
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